

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 550

Representatives Salvo, Williams

Cosponsors: Representatives Daniels, McClain, Kishman

To amend sections 3109.051, 3109.11, and 3109.12 of
the Revised Code to require a court to order
compensatory parenting time or companionship or
visitation for failure to comply with, or
interference with, an order or decree providing
for parenting time or companionship or
visitation.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3109.051, 3109.11, and 3109.12 of
the Revised Code be amended to read as follows:

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Sec. 3109.051. (A) If a divorce, dissolution, legal
separation, or annulment proceeding involves a child and if the
court has not issued a shared parenting decree, the court shall
consider any mediation report filed pursuant to section 3109.052
of the Revised Code and, in accordance with division (C) of this
section, shall make a just and reasonable order or decree
permitting each parent who is not the residential parent to have
parenting time with the child at the time and under the
conditions that the court directs, unless the court determines
that it would not be in the best interest of the child to permit
that parent to have parenting time with the child and includes

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in the journal its findings of fact and conclusions of law. 21
Whenever possible, the order or decree permitting the parenting 22
time shall ensure the opportunity for both parents to have 23
frequent and continuing contact with the child, unless frequent 24
and continuing contact by either parent with the child would not 25
be in the best interest of the child. The court shall include in 26
its final decree a specific schedule of parenting time for that 27
parent. Except as provided in division (E)(6) of section 3113.31 28
of the Revised Code, if the court, pursuant to this section, 29
grants parenting time to a parent or companionship or visitation 30
rights to any other person with respect to any child, it shall 31
not require the public children services agency to provide 32
supervision of or other services related to that parent's 33
exercise of parenting time or that person's exercise of 34
companionship or visitation rights with respect to the child. 35
This section does not limit the power of a juvenile court 36
pursuant to Chapter 2151. of the Revised Code to issue orders 37
with respect to children who are alleged to be abused, 38
neglected, or dependent children or to make dispositions of 39
children who are adjudicated abused, neglected, or dependent 40
children or of a common pleas court to issue orders pursuant to 41
section 3113.31 of the Revised Code. 42

(B)(1) In a divorce, dissolution of marriage, legal 43
separation, annulment, or child support proceeding that involves 44
a child, the court may grant reasonable companionship or 45
visitation rights to any grandparent, any person related to the 46
child by consanguinity or affinity, or any other person other 47
than a parent, if all of the following apply: 48

(a) The grandparent, relative, or other person files a 49
motion with the court seeking companionship or visitation 50
rights. 51

(b) The court determines that the grandparent, relative, 52
or other person has an interest in the welfare of the child. 53

(c) The court determines that the granting of the 54
companionship or visitation rights is in the best interest of 55
the child. 56

(2) A motion may be filed under division (B)(1) of this 57
section during the pendency of the divorce, dissolution of 58
marriage, legal separation, annulment, or child support 59
proceeding or, if a motion was not filed at that time or was 60
filed at that time and the circumstances in the case have 61
changed, at any time after a decree or final order is issued in 62
the case. 63

(C) When determining whether to grant parenting time 64
rights to a parent pursuant to this section or section 3109.12 65
of the Revised Code or to grant companionship or visitation 66
rights to a grandparent, relative, or other person pursuant to 67
this section or section 3109.11 or 3109.12 of the Revised Code, 68
when establishing a specific parenting time or visitation 69
schedule, and when determining other parenting time matters 70
under this section or section 3109.12 of the Revised Code or 71
visitation matters under this section or section 3109.11 or 72
3109.12 of the Revised Code, the court shall consider any 73
mediation report that is filed pursuant to section 3109.052 of 74
the Revised Code and shall consider all other relevant factors, 75
including, but not limited to, all of the factors listed in 76
division (D) of this section. In considering the factors listed 77
in division (D) of this section for purposes of determining 78
whether to grant parenting time or visitation rights, 79
establishing a specific parenting time or visitation schedule, 80
determining other parenting time matters under this section or 81

section 3109.12 of the Revised Code or visitation matters under 82
this section or under section 3109.11 or 3109.12 of the Revised 83
Code, and resolving any issues related to the making of any 84
determination with respect to parenting time or visitation 85
rights or the establishment of any specific parenting time or 86
visitation schedule, the court, in its discretion, may interview 87
in chambers any or all involved children regarding their wishes 88
and concerns. If the court interviews any child concerning the 89
child's wishes and concerns regarding those parenting time or 90
visitation matters, the interview shall be conducted in 91
chambers, and no person other than the child, the child's 92
attorney, the judge, any necessary court personnel, and, in the 93
judge's discretion, the attorney of each parent shall be 94
permitted to be present in the chambers during the interview. No 95
person shall obtain or attempt to obtain from a child a written 96
or recorded statement or affidavit setting forth the wishes and 97
concerns of the child regarding those parenting time or 98
visitation matters. A court, in considering the factors listed 99
in division (D) of this section for purposes of determining 100
whether to grant any parenting time or visitation rights, 101
establishing a parenting time or visitation schedule, 102
determining other parenting time matters under this section or 103
section 3109.12 of the Revised Code or visitation matters under 104
this section or under section 3109.11 or 3109.12 of the Revised 105
Code, or resolving any issues related to the making of any 106
determination with respect to parenting time or visitation 107
rights or the establishment of any specific parenting time or 108
visitation schedule, shall not accept or consider a written or 109
recorded statement or affidavit that purports to set forth the 110
child's wishes or concerns regarding those parenting time or 111
visitation matters. 112

(D) In determining whether to grant parenting time to a 113
parent pursuant to this section or section 3109.12 of the 114
Revised Code or companionship or visitation rights to a 115
grandparent, relative, or other person pursuant to this section 116
or section 3109.11 or 3109.12 of the Revised Code, in 117
establishing a specific parenting time or visitation schedule, 118
and in determining other parenting time matters under this 119
section or section 3109.12 of the Revised Code or visitation 120
matters under this section or section 3109.11 or 3109.12 of the 121
Revised Code, the court shall consider all of the following 122
factors: 123

(1) The prior interaction and interrelationships of the 124
child with the child's parents, siblings, and other persons 125
related by consanguinity or affinity, and with the person who 126
requested companionship or visitation if that person is not a 127
parent, sibling, or relative of the child; 128

(2) The geographical location of the residence of each 129
parent and the distance between those residences, and if the 130
person is not a parent, the geographical location of that 131
person's residence and the distance between that person's 132
residence and the child's residence; 133

(3) The child's and parents' available time, including, 134
but not limited to, each parent's employment schedule, the 135
child's school schedule, and the child's and the parents' 136
holiday and vacation schedule; 137

(4) The age of the child; 138

(5) The child's adjustment to home, school, and community; 139

(6) If the court has interviewed the child in chambers, 140
pursuant to division (C) of this section, regarding the wishes 141

and concerns of the child as to parenting time by the parent who 142
is not the residential parent or companionship or visitation by 143
the grandparent, relative, or other person who requested 144
companionship or visitation, as to a specific parenting time or 145
visitation schedule, or as to other parenting time or visitation 146
matters, the wishes and concerns of the child, as expressed to 147
the court; 148

(7) The health and safety of the child; 149

(8) The amount of time that will be available for the 150
child to spend with siblings; 151

(9) The mental and physical health of all parties; 152

(10) Each parent's willingness to reschedule missed 153
parenting time and to facilitate the other parent's parenting 154
time rights, and with respect to a person who requested 155
companionship or visitation, the willingness of that person to 156
reschedule missed visitation; 157

(11) In relation to parenting time, whether either parent 158
previously has been convicted of or pleaded guilty to any 159
criminal offense involving any act that resulted in a child 160
being an abused child or a neglected child; whether either 161
parent, in a case in which a child has been adjudicated an 162
abused child or a neglected child, previously has been 163
determined to be the perpetrator of the abusive or neglectful 164
act that is the basis of the adjudication; and whether there is 165
reason to believe that either parent has acted in a manner 166
resulting in a child being an abused child or a neglected child; 167

(12) In relation to requested companionship or visitation 168
by a person other than a parent, whether the person previously 169
has been convicted of or pleaded guilty to any criminal offense 170

involving any act that resulted in a child being an abused child 171
or a neglected child; whether the person, in a case in which a 172
child has been adjudicated an abused child or a neglected child, 173
previously has been determined to be the perpetrator of the 174
abusive or neglectful act that is the basis of the adjudication; 175
whether either parent previously has been convicted of or 176
pleaded guilty to a violation of section 2919.25 of the Revised 177
Code involving a victim who at the time of the commission of the 178
offense was a member of the family or household that is the 179
subject of the current proceeding; whether either parent 180
previously has been convicted of an offense involving a victim 181
who at the time of the commission of the offense was a member of 182
the family or household that is the subject of the current 183
proceeding and caused physical harm to the victim in the 184
commission of the offense; and whether there is reason to 185
believe that the person has acted in a manner resulting in a 186
child being an abused child or a neglected child; 187

(13) Whether the residential parent or one of the parents 188
subject to a shared parenting decree has continuously and 189
willfully denied the other parent's right to parenting time in 190
accordance with an order of the court; 191

(14) Whether either parent has established a residence or 192
is planning to establish a residence outside this state; 193

(15) In relation to requested companionship or visitation 194
by a person other than a parent, the wishes and concerns of the 195
child's parents, as expressed by them to the court; 196

(16) Any other factor in the best interest of the child. 197

(E) The remarriage of a residential parent of a child does 198
not affect the authority of a court under this section to grant 199

parenting time rights with respect to the child to the parent 200
who is not the residential parent or to grant reasonable 201
companionship or visitation rights with respect to the child to 202
any grandparent, any person related by consanguinity or 203
affinity, or any other person. 204

(F) (1) If the court, pursuant to division (A) of this 205
section, denies parenting time to a parent who is not the 206
residential parent or denies a motion for reasonable 207
companionship or visitation rights filed under division (B) of 208
this section and the parent or movant files a written request 209
for findings of fact and conclusions of law, the court shall 210
state in writing its findings of fact and conclusions of law in 211
accordance with Civil Rule 52. 212

(2) On or before July 1, 1991, each court of common pleas, 213
by rule, shall adopt standard parenting time guidelines. A court 214
shall have discretion to deviate from its standard parenting 215
time guidelines based upon factors set forth in division (D) of 216
this section. 217

(G) (1) If the residential parent intends to move to a 218
residence other than the residence specified in the parenting 219
time order or decree of the court, the parent shall file a 220
notice of intent to relocate with the court that issued the 221
order or decree. Except as provided in divisions (G) (2), (3), 222
and (4) of this section, the court shall send a copy of the 223
notice to the parent who is not the residential parent. Upon 224
receipt of the notice, the court, on its own motion or the 225
motion of the parent who is not the residential parent, may 226
schedule a hearing with notice to both parents to determine 227
whether it is in the best interest of the child to revise the 228
parenting time schedule for the child. 229

(2) When a court grants parenting time rights to a parent 230
who is not the residential parent, the court shall determine 231
whether that parent has been convicted of or pleaded guilty to a 232
violation of section 2919.25 of the Revised Code involving a 233
victim who at the time of the commission of the offense was a 234
member of the family or household that is the subject of the 235
proceeding, has been convicted of or pleaded guilty to any other 236
offense involving a victim who at the time of the commission of 237
the offense was a member of the family or household that is the 238
subject of the proceeding and caused physical harm to the victim 239
in the commission of the offense, or has been determined to be 240
the perpetrator of the abusive act that is the basis of an 241
adjudication that a child is an abused child. If the court 242
determines that that parent has not been so convicted and has 243
not been determined to be the perpetrator of an abusive act that 244
is the basis of a child abuse adjudication, the court shall 245
issue an order stating that a copy of any notice of relocation 246
that is filed with the court pursuant to division (G)(1) of this 247
section will be sent to the parent who is given the parenting 248
time rights in accordance with division (G)(1) of this section. 249

If the court determines that the parent who is granted the 250
parenting time rights has been convicted of or pleaded guilty to 251
a violation of section 2919.25 of the Revised Code involving a 252
victim who at the time of the commission of the offense was a 253
member of the family or household that is the subject of the 254
proceeding, has been convicted of or pleaded guilty to any other 255
offense involving a victim who at the time of the commission of 256
the offense was a member of the family or household that is the 257
subject of the proceeding and caused physical harm to the victim 258
in the commission of the offense, or has been determined to be 259
the perpetrator of the abusive act that is the basis of an 260

adjudication that a child is an abused child, it shall issue an 261
order stating that that parent will not be given a copy of any 262
notice of relocation that is filed with the court pursuant to 263
division (G) (1) of this section unless the court determines that 264
it is in the best interest of the children to give that parent a 265
copy of the notice of relocation, issues an order stating that 266
that parent will be given a copy of any notice of relocation 267
filed pursuant to division (G) (1) of this section, and issues 268
specific written findings of fact in support of its 269
determination. 270

(3) If a court, prior to April 11, 1991, issued an order 271
granting parenting time rights to a parent who is not the 272
residential parent and did not require the residential parent in 273
that order to give the parent who is granted the parenting time 274
rights notice of any change of address and if the residential 275
parent files a notice of relocation pursuant to division (G) (1) 276
of this section, the court shall determine if the parent who is 277
granted the parenting time rights has been convicted of or 278
pleaded guilty to a violation of section 2919.25 of the Revised 279
Code involving a victim who at the time of the commission of the 280
offense was a member of the family or household that is the 281
subject of the proceeding, has been convicted of or pleaded 282
guilty to any other offense involving a victim who at the time 283
of the commission of the offense was a member of the family or 284
household that is the subject of the proceeding and caused 285
physical harm to the victim in the commission of the offense, or 286
has been determined to be the perpetrator of the abusive act 287
that is the basis of an adjudication that a child is an abused 288
child. If the court determines that the parent who is granted 289
the parenting time rights has not been so convicted and has not 290
been determined to be the perpetrator of an abusive act that is 291

the basis of a child abuse adjudication, the court shall issue 292
an order stating that a copy of any notice of relocation that is 293
filed with the court pursuant to division (G)(1) of this section 294
will be sent to the parent who is granted parenting time rights 295
in accordance with division (G)(1) of this section. 296

If the court determines that the parent who is granted the 297
parenting time rights has been convicted of or pleaded guilty to 298
a violation of section 2919.25 of the Revised Code involving a 299
victim who at the time of the commission of the offense was a 300
member of the family or household that is the subject of the 301
proceeding, has been convicted of or pleaded guilty to any other 302
offense involving a victim who at the time of the commission of 303
the offense was a member of the family or household that is the 304
subject of the proceeding and caused physical harm to the victim 305
in the commission of the offense, or has been determined to be 306
the perpetrator of the abusive act that is the basis of an 307
adjudication that a child is an abused child, it shall issue an 308
order stating that that parent will not be given a copy of any 309
notice of relocation that is filed with the court pursuant to 310
division (G)(1) of this section unless the court determines that 311
it is in the best interest of the children to give that parent a 312
copy of the notice of relocation, issues an order stating that 313
that parent will be given a copy of any notice of relocation 314
filed pursuant to division (G)(1) of this section, and issues 315
specific written findings of fact in support of its 316
determination. 317

(4) If a parent who is granted parenting time rights 318
pursuant to this section or any other section of the Revised 319
Code is authorized by an order issued pursuant to this section 320
or any other court order to receive a copy of any notice of 321
relocation that is filed pursuant to division (G)(1) of this 322

section or pursuant to court order, if the residential parent 323
intends to move to a residence other than the residence address 324
specified in the parenting time order, and if the residential 325
parent does not want the parent who is granted the parenting 326
time rights to receive a copy of the relocation notice because 327
the parent with parenting time rights has been convicted of or 328
pleaded guilty to a violation of section 2919.25 of the Revised 329
Code involving a victim who at the time of the commission of the 330
offense was a member of the family or household that is the 331
subject of the proceeding, has been convicted of or pleaded 332
guilty to any other offense involving a victim who at the time 333
of the commission of the offense was a member of the family or 334
household that is the subject of the proceeding and caused 335
physical harm to the victim in the commission of the offense, or 336
has been determined to be the perpetrator of the abusive act 337
that is the basis of an adjudication that a child is an abused 338
child, the residential parent may file a motion with the court 339
requesting that the parent who is granted the parenting time 340
rights not receive a copy of any notice of relocation. Upon the 341
filing of the motion, the court shall schedule a hearing on the 342
motion and give both parents notice of the date, time, and 343
location of the hearing. If the court determines that the parent 344
who is granted the parenting time rights has been so convicted 345
or has been determined to be the perpetrator of an abusive act 346
that is the basis of a child abuse adjudication, the court shall 347
issue an order stating that the parent who is granted the 348
parenting time rights will not be given a copy of any notice of 349
relocation that is filed with the court pursuant to division (G) 350
(1) of this section or that the residential parent is no longer 351
required to give that parent a copy of any notice of relocation 352
unless the court determines that it is in the best interest of 353
the children to give that parent a copy of the notice of 354

relocation, issues an order stating that that parent will be 355
given a copy of any notice of relocation filed pursuant to 356
division (G)(1) of this section, and issues specific written 357
findings of fact in support of its determination. If it does not 358
so find, it shall dismiss the motion. 359

(H)(1) Subject to section 3125.16 and division (F) of 360
section 3319.321 of the Revised Code, a parent of a child who is 361
not the residential parent of the child is entitled to access, 362
under the same terms and conditions under which access is 363
provided to the residential parent, to any record that is 364
related to the child and to which the residential parent of the 365
child legally is provided access, unless the court determines 366
that it would not be in the best interest of the child for the 367
parent who is not the residential parent to have access to the 368
records under those same terms and conditions. If the court 369
determines that the parent of a child who is not the residential 370
parent should not have access to records related to the child 371
under the same terms and conditions as provided for the 372
residential parent, the court shall specify the terms and 373
conditions under which the parent who is not the residential 374
parent is to have access to those records, shall enter its 375
written findings of facts and opinion in the journal, and shall 376
issue an order containing the terms and conditions to both the 377
residential parent and the parent of the child who is not the 378
residential parent. The court shall include in every order 379
issued pursuant to this division notice that any keeper of a 380
record who knowingly fails to comply with the order or division 381
(H) of this section is in contempt of court. 382

(2) Subject to section 3125.16 and division (F) of section 383
3319.321 of the Revised Code, subsequent to the issuance of an 384
order under division (H)(1) of this section, the keeper of any 385

record that is related to a particular child and to which the 386
residential parent legally is provided access shall permit the 387
parent of the child who is not the residential parent to have 388
access to the record under the same terms and conditions under 389
which access is provided to the residential parent, unless the 390
residential parent has presented the keeper of the record with a 391
copy of an order issued under division (H)(1) of this section 392
that limits the terms and conditions under which the parent who 393
is not the residential parent is to have access to records 394
pertaining to the child and the order pertains to the record in 395
question. If the residential parent presents the keeper of the 396
record with a copy of that type of order, the keeper of the 397
record shall permit the parent who is not the residential parent 398
to have access to the record only in accordance with the most 399
recent order that has been issued pursuant to division (H)(1) of 400
this section and presented to the keeper by the residential 401
parent or the parent who is not the residential parent. Any 402
keeper of any record who knowingly fails to comply with division 403
(H) of this section or with any order issued pursuant to 404
division (H)(1) of this section is in contempt of court. 405

(3) The prosecuting attorney of any county may file a 406
complaint with the court of common pleas of that county 407
requesting the court to issue a protective order preventing the 408
disclosure pursuant to division (H)(1) or (2) of this section of 409
any confidential law enforcement investigatory record. The court 410
shall schedule a hearing on the motion and give notice of the 411
date, time, and location of the hearing to all parties. 412

(I) A court that issues a parenting time order or decree 413
pursuant to this section or section 3109.12 of the Revised Code 414
shall determine whether the parent granted the right of 415
parenting time is to be permitted access, in accordance with 416

section 5104.039 of the Revised Code, to any child care center 417
that is, or that in the future may be, attended by the children 418
with whom the right of parenting time is granted. Unless the 419
court determines that the parent who is not the residential 420
parent should not have access to the center to the same extent 421
that the residential parent is granted access to the center, the 422
parent who is not the residential parent and who is granted 423
parenting time rights is entitled to access to the center to the 424
same extent that the residential parent is granted access to the 425
center. If the court determines that the parent who is not the 426
residential parent should not have access to the center to the 427
same extent that the residential parent is granted such access 428
under section 5104.039 of the Revised Code, the court shall 429
specify the terms and conditions under which the parent who is 430
not the residential parent is to have access to the center, 431
provided that the access shall not be greater than the access 432
that is provided to the residential parent under section 433
5104.039 of the Revised Code, the court shall enter its written 434
findings of fact and opinions in the journal, and the court 435
shall include the terms and conditions of access in the 436
parenting time order or decree. 437

(J) (1) Subject to division (F) of section 3319.321 of the 438
Revised Code, when a court issues an order or decree allocating 439
parental rights and responsibilities for the care of a child, 440
the parent of the child who is not the residential parent of the 441
child is entitled to access, under the same terms and conditions 442
under which access is provided to the residential parent, to any 443
student activity that is related to the child and to which the 444
residential parent of the child legally is provided access, 445
unless the court determines that it would not be in the best 446
interest of the child to grant the parent who is not the 447

residential parent access to the student activities under those 448
same terms and conditions. If the court determines that the 449
parent of the child who is not the residential parent should not 450
have access to any student activity that is related to the child 451
under the same terms and conditions as provided for the 452
residential parent, the court shall specify the terms and 453
conditions under which the parent who is not the residential 454
parent is to have access to those student activities, shall 455
enter its written findings of facts and opinion in the journal, 456
and shall issue an order containing the terms and conditions to 457
both the residential parent and the parent of the child who is 458
not the residential parent. The court shall include in every 459
order issued pursuant to this division notice that any school 460
official or employee who knowingly fails to comply with the 461
order or division (J) of this section is in contempt of court. 462

(2) Subject to division (F) of section 3319.321 of the 463
Revised Code, subsequent to the issuance of an order under 464
division (J)(1) of this section, all school officials and 465
employees shall permit the parent of the child who is not the 466
residential parent to have access to any student activity under 467
the same terms and conditions under which access is provided to 468
the residential parent of the child, unless the residential 469
parent has presented the school official or employee, the board 470
of education of the school, or the governing body of the 471
chartered nonpublic school with a copy of an order issued under 472
division (J)(1) of this section that limits the terms and 473
conditions under which the parent who is not the residential 474
parent is to have access to student activities related to the 475
child and the order pertains to the student activity in 476
question. If the residential parent presents the school official 477
or employee, the board of education of the school, or the 478

governing body of the chartered nonpublic school with a copy of 479
that type of order, the school official or employee shall permit 480
the parent who is not the residential parent to have access to 481
the student activity only in accordance with the most recent 482
order that has been issued pursuant to division (J)(1) of this 483
section and presented to the school official or employee, the 484
board of education of the school, or the governing body of the 485
chartered nonpublic school by the residential parent or the 486
parent who is not the residential parent. Any school official or 487
employee who knowingly fails to comply with division (J) of this 488
section or with any order issued pursuant to division (J)(1) of 489
this section is in contempt of court. 490

(K) If any person is found in contempt of court for 491
failing to comply with or interfering with any order or decree 492
granting parenting time rights issued pursuant to this section 493
or section 3109.12 of the Revised Code or companionship or 494
visitation rights issued pursuant to this section, section 495
3109.11 or 3109.12 of the Revised Code, or any other provision 496
of the Revised Code, the court that makes the finding, in 497
addition to any other penalty or remedy imposed, shall assess 498
all court costs arising out of the contempt proceeding against 499
the person and require the person to pay any reasonable 500
attorney's fees of any adverse party, as determined by the 501
court, that arose in relation to the act of contempt, and may 502
award reasonable compensatory parenting time or visitation to 503
the person whose right of parenting time or visitation was 504
affected by the failure or interference if such compensatory 505
parenting time or visitation is in the best interest of the 506
child. Any compensatory parenting time or visitation awarded 507
under this division shall be included in an order issued by the 508
court and, to the extent possible, shall be governed by the same 509

terms and conditions as was the parenting time or visitation 510
that was affected by the failure or interference. 511

~~(L)~~ (L) (1) Any parent who is granted parenting time rights 512
under a parenting time order or decree issued pursuant to this 513
section or section 3109.12 of the Revised Code, any person who 514
is granted companionship or visitation under an order or decree 515
issued pursuant to this section, section 3109.11 or 3109.12 of 516
the Revised Code, or pursuant to any other provision of the 517
Revised Code, or any other person who is subject to any 518
parenting time or companionship or visitation order or decree, 519
may file a motion with the court to request compensatory 520
parenting time or visitation for failure to comply with, or 521
interference with, the order or decree, if the failure to comply 522
or interference results from either of the following: 523

(a) An investigation by a public children services agency 524
and all investigative agencies of a report of abuse or neglect 525
in accordance with section 2151.421 of the Revised Code that 526
resulted in a determination that the report was unsubstantiated, 527
provided that the reason for the unsubstantiated report is not 528
because the agency was unable to locate or interview the alleged 529
perpetrator, the alleged perpetrator refused to cooperate with 530
the investigation, or the investigation was otherwise 531
incomplete; 532

(b) The residential parent and legal custodian of a child 533
willfully violated a parenting time or visitation schedule 534
without justification. 535

(2) The court shall order additional periods of parenting 536
time or visitation to compensate for the parenting time or 537
companionship or visitation lost as a result of the failure to 538
comply or interference, unless for good cause shown by an 539

opposing party. Compensatory parenting time or visitation that 540
is awarded under division (L) of this section shall meet all of 541
the following criteria: 542

(a) The parenting time or visitation shall be the same 543
type and duration as the parenting time or visitation that was 544
lost or denied. 545

(b) Subject to the court's determination of the best 546
interest of the child, the parenting time or visitation shall be 547
scheduled at the discretion of the party that was denied 548
parenting time or visitation and may include weekends, holidays, 549
school breaks, and summer vacation time. 550

(c) The parenting time or visitation shall be enforceable 551
in the same manner as the original order or decree for parenting 552
time or visitation. 553

(3) If a court denies compensatory parenting time or 554
visitation under division (L)(2) of this section for good cause 555
shown by an opposing party, the court shall state in writing its 556
findings of fact and conclusions of law to support the denial. 557

(4) A court shall not award compensatory parenting time or 558
visitation under both this division and division (K) of this 559
section. If a party files a motion under this division and 560
initiates a contempt action under section 2705.031 of the 561
Revised Code, the court may award the greater of the 562
compensatory parenting time or visitation warranted under this 563
division or division (K) of this section, but not both. 564

(M) Any parent who requests reasonable parenting time 565
rights with respect to a child under this section or section 566
3109.12 of the Revised Code or any person who requests 567
reasonable companionship or visitation rights with respect to a 568

child under this section, section 3109.11 or 3109.12 of the Revised Code, or any other provision of the Revised Code may file a motion with the court requesting that it waive all or any part of the costs that may accrue in the proceedings. If the court determines that the movant is indigent and that the waiver is in the best interest of the child, the court, in its discretion, may waive payment of all or any part of the costs of those proceedings.

~~(M) (1)~~ (N) (1) A parent who receives an order for active military service in the uniformed services and who is subject to a parenting time order may apply to the court for any of the following temporary orders for the period extending from the date of the parent's departure to the date of return:

(a) An order delegating all or part of the parent's parenting time with the child to a relative or to another person who has a close and substantial relationship with the child if the delegation is in the child's best interest;

(b) An order that the other parent make the child reasonably available for parenting time with the parent when the parent is on leave from active military service;

(c) An order that the other parent facilitate contact, including telephone and electronic contact, between the parent and child while the parent is on active military service.

(2) (a) Upon receipt of an order for active military service, a parent who is subject to a parenting time order and seeks an order under division (M) (1) of this section shall notify the other parent who is subject to the parenting time order and apply to the court as soon as reasonably possible after receipt of the order for active military service. The

application shall include the date on which the active military 598
service begins. 599

(b) The court shall schedule a hearing upon receipt of an 600
application under division (M) of this section and hold the 601
hearing not later than thirty days after its receipt, except 602
that the court shall give the case calendar priority and handle 603
the case expeditiously if exigent circumstances exist in the 604
case. No hearing shall be required if both parents agree to the 605
terms of the requested temporary order and the court determines 606
that the order is in the child's best interest. 607

(c) In determining whether a delegation under division (M) 608
(1)(a) of this section is in the child's best interest, the 609
court shall consider all relevant factors, including the factors 610
set forth in division (D) of this section. 611

(d) An order delegating all or part of the parent's 612
parenting time pursuant to division (M)(1)(a) of this section 613
does not create standing on behalf of the person to whom 614
parenting time is delegated to assert visitation or 615
companionship rights independent of the order. 616

(3) At the request of a parent who is ordered for active 617
military service in the uniformed services and who is a subject 618
of a proceeding pertaining to a parenting time order or 619
pertaining to a request for companionship rights or visitation 620
with a child, the court shall permit the parent to participate 621
in the proceeding and present evidence by electronic means, 622
including communication by telephone, video, or internet to the 623
extent permitted by rules of the supreme court of Ohio. 624

~~(N)~~(O) The juvenile court has exclusive jurisdiction to 625
enter the orders in any case certified to it from another court. 626

~~(O)~~(P) As used in this section: 627

(1) "Abused child" has the same meaning as in section 628
2151.031 of the Revised Code, and "neglected child" has the same 629
meaning as in section 2151.03 of the Revised Code. 630

(2) "Active military service" and "uniformed services" 631
have the same meanings as in section 3109.04 of the Revised 632
Code. 633

(3) "Confidential law enforcement investigatory record" 634
has the same meaning as in section 149.43 of the Revised Code. 635

(4) "Parenting time order" means an order establishing the 636
amount of time that a child spends with the parent who is not 637
the residential parent or the amount of time that the child is 638
to be physically located with a parent under a shared parenting 639
order. 640

(5) "Record" means any record, document, file, or other 641
material that contains information directly related to a child, 642
including, but not limited to, any of the following: 643

(a) Records maintained by public and nonpublic schools; 644

(b) Records maintained by facilities that provide child 645
care, as defined in section 5104.01 of the Revised Code, 646
publicly funded child care, as defined in section 5104.01 of the 647
Revised Code, or pre-school services operated by or under the 648
supervision of a school district board of education or a 649
nonpublic school; 650

(c) Records maintained by hospitals, other facilities, or 651
persons providing medical or surgical care or treatment for the 652
child; 653

(d) Records maintained by agencies, departments, 654

instrumentalities, or other entities of the state or any 655
political subdivision of the state, other than a child support 656
enforcement agency. Access to records maintained by a child 657
support enforcement agency is governed by section 3125.16 of the 658
Revised Code. 659

Sec. 3109.11. If either the father or mother of an 660
unmarried minor child is deceased, the court of common pleas of 661
the county in which the minor child resides may grant the 662
parents and other relatives of the deceased father or mother 663
reasonable companionship or visitation rights with respect to 664
the minor child during the child's minority if the parent or 665
other relative files a complaint requesting reasonable 666
companionship or visitation rights and if the court determines 667
that the granting of the companionship or visitation rights is 668
in the best interest of the minor child. In determining whether 669
to grant any person reasonable companionship or visitation 670
rights with respect to any child, the court shall consider all 671
relevant factors, including, but not limited to, the factors set 672
forth in division (D) of section 3109.051 of the Revised Code. 673
Divisions (C), (K), and ~~(L)~~ (M) of section 3109.051 of the 674
Revised Code apply to the determination of reasonable 675
companionship or visitation rights under this section and to any 676
order granting any such rights that is issued under this 677
section. 678

The remarriage of the surviving parent of the child or the 679
adoption of the child by the spouse of the surviving parent of 680
the child does not affect the authority of the court under this 681
section to grant reasonable companionship or visitation rights 682
with respect to the child to a parent or other relative of the 683
child's deceased father or mother. 684

If the court denies a request for reasonable companionship 685
or visitation rights made pursuant to this section and the 686
complainant files a written request for findings of fact and 687
conclusions of law, the court shall state in writing its 688
findings of fact and conclusions of law in accordance with Civil 689
Rule 52. 690

Except as provided in division (E)(6) of section 3113.31 691
of the Revised Code, if the court, pursuant to this section, 692
grants any person companionship or visitation rights with 693
respect to any child, it shall not require the public children 694
services agency to provide supervision of or other services 695
related to that person's exercise of companionship or visitation 696
rights with respect to the child. This section does not limit 697
the power of a juvenile court pursuant to Chapter 2151. of the 698
Revised Code to issue orders with respect to children who are 699
alleged to be abused, neglected, or dependent children or to 700
make dispositions of children who are adjudicated abused, 701
neglected, or dependent children or of a common pleas court to 702
issue orders pursuant to section 3113.31 of the Revised Code. 703

Sec. 3109.12. (A) If a child is born to an unmarried 704
woman, the parents of the woman and any relative of the woman 705
may file a complaint requesting the court of common pleas of the 706
county in which the child resides to grant them reasonable 707
companionship or visitation rights with the child. If a child is 708
born to an unmarried woman and if the father of the child has 709
acknowledged the child and that acknowledgment has become final 710
pursuant to section 2151.232, 3111.25, or 3111.821 of the 711
Revised Code or has been determined in an action under Chapter 712
3111. of the Revised Code to be the father of the child, the 713
father may file a complaint requesting that the court of 714
appropriate jurisdiction of the county in which the child 715

resides grant him reasonable parenting time rights with the 716
child and the parents of the father and any relative of the 717
father may file a complaint requesting that the court grant them 718
reasonable companionship or visitation rights with the child. 719

(B) The court may grant the parenting time rights or 720
companionship or visitation rights requested under division (A) 721
of this section, if it determines that the granting of the 722
parenting time rights or companionship or visitation rights is 723
in the best interest of the child. In determining whether to 724
grant reasonable parenting time rights or reasonable 725
companionship or visitation rights with respect to any child, 726
the court shall consider all relevant factors, including, but 727
not limited to, the factors set forth in division (D) of section 728
3109.051 of the Revised Code. Divisions (C), (K), and ~~(L)~~(M) of 729
section 3109.051 of the Revised Code apply to the determination 730
of reasonable parenting time rights or reasonable companionship 731
or visitation rights under this section and to any order 732
granting any such rights that is issued under this section. 733

The marriage or remarriage of the mother or father of a 734
child does not affect the authority of the court under this 735
section to grant the natural father reasonable parenting time 736
rights or the parents or relatives of the natural father or the 737
parents or relatives of the mother of the child reasonable 738
companionship or visitation rights with respect to the child. 739

If the court denies a request for reasonable parenting 740
time rights or reasonable companionship or visitation rights 741
made pursuant to division (A) of this section and the 742
complainant files a written request for findings of fact and 743
conclusions of law, the court shall state in writing its 744
findings of fact and conclusions of law in accordance with Civil 745

Rule 52. 746

Except as provided in division (E) (6) of section 3113.31 747
of the Revised Code, if the court, pursuant to this section, 748
grants parenting time rights or companionship or visitation 749
rights with respect to any child, it shall not require the 750
public children services agency to provide supervision of or 751
other services related to that parent's exercise of parenting 752
time rights with the child or that person's exercise of 753
companionship or visitation rights with the child. This section 754
does not limit the power of a juvenile court pursuant to Chapter 755
2151. of the Revised Code to issue orders with respect to 756
children who are alleged to be abused, neglected, or dependent 757
children or to make dispositions of children who are adjudicated 758
abused, neglected, or dependent children or of a common pleas 759
court to issue orders pursuant to section 3113.31 of the Revised 760
Code. 761

Section 2. That existing sections 3109.051, 3109.11, and 762
3109.12 of the Revised Code are hereby repealed. 763